

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Irving M. Fishman
Type or Print Name


Signature

March 7, 2003
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

HEXAMER

SERIAL NO: 09/770,336

FILED: January 26, 2001

FOR: ANTIFUNGAL COMPOSITION AND METHOD

FOR HUMAN NAILS

Group Art Unit: 1615

Examiner: Sharon Lee Howard

Assistant Commissioner for Patents

Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

Further to the above identified Application and in compliance with Rule 56 (37C.F.R. §1.56), Applicant hereby wishes to call the Examiner's attention to the references listed on the enclosed form PTO-A820. A copy of each reference is also enclosed.

Enclosed is the undersigned's check in the amount of \$180.00 for the fee due under 37 CFR1.17(p).

The Examiner is respectfully requested to consider the following information in relation to this application and to indicate that each of the references was considered by returning a copy of the initialed PTO-A820 form(s).

Each of the references cited mentions stannous fluoride.

US 4,267,164 relates to effervescent stannous fluoride tablets which result in 0.4% stannous fluoride solutions.

US 4,459,277 indicates that stannour fluoride has antibacterial properties.

US 4,599,228 disclosed pharmaceutically active agents to which stannous fluoride, among other materials, has been added.

US 5,098,716 discloses anhydrous glycerin solutions of stannous fluoride as antiviral compositions.

US 5,663,208 discloses antifungal active agents to which stannous fluoride has been added in amounts of up to 1%.

US 5,757,070 discusses stannous halides (which are other than fluoride, but if the fluoride is present another halide must also be present) as anti herpes virus compositions.

US 5,908,640 mentions veterinary products containing stannous fluoride (solutions of up to 1%) for preventing epidermal irritation.

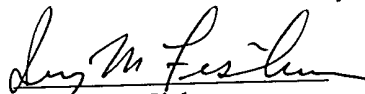
US 5,989,522 discusses antibacterial properties of stannous fluoride.

US 6,248,370 is directed to an aqueous shampoo having stannous fluoride in addition to selenium and zinc compounds.

US 6,455,076 mentions a composition for inhibiting skin irritation from contact with a skin irritant where the composition has at least 10 mM tin^{++} .

Applicant submits that upon consideration of these references, the claims as presented in the accompanying amendment remain allowable.

Respectfully submitted,



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Attorney for Applicant

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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Irving M. Fishman
Type or Print Name

Signature

2003
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF
HEXAMER

Prior Group Art Unit: 1615

Prior Examiner: Sharon Lee Howard

SERIAL NO: Continuation of 09/770,336

FILED: Concurrently Herewith

FOR: ANTIFUNGAL COMPOSITION AND METHOD
FOR HUMAN NAILS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Further to the above identified Application and in compliance with Rule 56 (37C.F.R. §1.56), Applicant hereby wishes to call the Examiner's attention to the references cited in parent application US Ser. No. 09/770,336. Copies of the Information Disclosure Statements filed April 9, 2001; and March 7, 2003, and the Supplemental Information Disclosure portion of Applicant's Amendment of September 3, 2003 (along with the respective forms PTO A-820) are attached, as is the Examiner's Notice of References Cited (form PTO-820).

Applicant encloses copies only of the references that are not US patents.

Applicant also calls the Examiner's attention to a co-pending continuation-in-part application, US Ser. No. 10/629,234, filed July 28, 2003, for ANTIFUNGAL COMPOSITIONS AND METHODS OF TREATMENT THEREWITH.

The Examiner is respectfully requested to consider the following information in relation to this application and to indicate that each of the references was considered by returning a copy of the initialed PTO-A820 form(s).

Respectfully submitted,

Date: October 22, 2003

89 Headquarters Plaza
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Irving M. Fishman

Irving M. Fishman
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Attorney for Applicant

42014/79185

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Don L. Hexamer

Serial No.: 09/770,336

Filing Date: January 26, 2001

Group: 1615

For: ANTIFUNGAL METHOD AND
COMPOSITION FOR HUMAN
NAILS

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to BOX: DD, Assistant Commissioner for Patents, Washington, D.C. 20231 on:	
<u>April 9, 2001</u>	
(Date of Mailing)	
<u>Donna J. Dobson</u>	
(Name of Person Mailing Document)	
<u>Donna J. Dobson</u>	
(Signature)	

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §1.56, Applicant submits this statement. This submittal is made in accordance with 37 C.F.R. §§1.97 and 1.98 and §609 of the Manual of Patent Examining Procedure. The patents, publications and other information herein are listed on the attached Form PTO-1449. Copies of the listed references are submitted herewith.

Applicant hereby expressly reserves the right to swear behind the effective dates of any of the above patents and other publications and to question the relevance and materiality of the Patents and Publications listed herein, in whole, in part, or in combination, subsequent to filing this Information Disclosure Statement.

It is believed no fee is due for submission of this paper. If this is incorrect, the Commissioner is hereby authorized to charge any fee due to Locke Liddell & Sapp LLP Deposit Account No. 12-1781.

Respectfully submitted,

By:



Monty L. Ross
Registration No. 28,899

Date: April 9, 2001

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2200 Ross Avenue, Ste. 2200
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INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

ATTY DOCKET NO.
118.002

SERIAL NO.
09/770,336

Don Hexamer

FILING
January 26, 2001

GROUP
1615

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A	4,267,164	05/12/1981	Yeh et al			
	B	4,459,277	07/10/1984	Kosti			
	C	4,599,228	07/08/1986	Ladanyi			
	D	5,098,716	03/24/1992	Embro			
	E	5,663,208	09/02/1997	Martin			
	F	5,747,070	05/05/1998	Majeti			
	G	5,908,640	06/01/1999	Embro			
	H	5,989,522	11/23/1999	Friedman			
	I	6,248,370	06/19/2001	Harris			
	J	6,455,076	09/24/2002	Hahn et al			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE
(Rev. 2-32) PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.
42014/79185

SERIAL NO.
09/770,336

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)

APPLICANT
Don L. Hexamer

FILING DATE
01/26/01

GROUP
1615

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	3,346,578	10/10/1967	Langlykke, et al.	260	270	
	4,919,920	04/24/1990	Devos	424	061	
	5,057,309	10/15/1991	Hill, et al.	424	052	
	5,110,809	05/05/1992	Wang, et al.	514	171	
	5,395,241	03/07/1995	Kandelman	433	217.1	
	5,486,537	01/23/1996	Farinas	514	462	
	5,696,105	12/09/1997	Hackler	514	172	
	5,916,545	06/29/1999	Burnett, et al.	424	061	
	5,972,317	10/26/1999	Sorenson, et al.	424	061	

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Notice of References Cited

Application/Control No.

09/770,336

Applicant(s)/Patent Under
Reexamination
HEXAMER, DON L.

Examiner

Sharon L. Howard

Art Unit

1615

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-4,919,920	04-1990	John Devos	424/61
	B	US-6,200,553 B1	03-2001	Busch, Jr.	424/61
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Docket Number (Optional)

118.002

Application Number

09/776,336

Applicant(s)

Don L. Hexamer

Filing Date

Jan. 26, 2001

Group Art Unit

1615

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A	2,606,812	08/12/1952	Bruce			
	B	2,836,544	05/27/1958	Nebergall			
	C.	2,882,204	04/14/1959	Nebergall			
	D	2,946,725	07/26/1960	Norris et al			
	E	3,266,996	08/16/1966	Muhler			
	F	3,282,792	11/01/1966	Fiscella			
	G	4,335,102	06/15/1982	Nakashima et al			
	H	4,828,822	05/09/1989	Muhlmann et al			

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	I	Seby, et al; A critical review of thermodynamic data for inorganic tin species.; Geochimica et Cosmochimica Acta, Vol. 65, No. 18, pp. 3041-3053, 2001

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.